

# UNITED STATES DISTRICT COURT

for the

District of Nebraska

United States of America )

v. )

ANTOINE F. GAMBLE )

Case No: 8:08CR131

USM No: 22273-047

Date of Previous Judgment: 10/06/2008

David R. Stickman

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 48 months is reduced to 24 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 21	Amended Offense Level: 15
Criminal History Category: III	Criminal History Category: III
Previous Guideline Range: 46 to 57 months	Amended Guideline Range: 24 to 30 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 10/06/2008 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 11/01/2011

  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Joseph F. Bataillon Chief District Judge  
Printed name and title